

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ERIC CACHO, : CIVIL ACTION
: NO. 07-04340
Petitioner, :
v. :
FRANKLIN J. TENNIS, et al., :
: Respondents. :

ORDER

AND NOW, this 22nd day of July, 2009, upon consideration of Petitioner Eric Cacho's Petition for Writ of Habeas Corpus (Doc. No. 1), the Respondents' Response in Opposition to the Petition for Writ of Habeas Corpus (Doc. No. 7), the Petitioner's Reply (Doc. No. 8), Respondents' Sur-Reply (Doc. No. 12), the Report and Recommendation Filed by United States Magistrate Judge Timothy R. Rice (Doc. No. 16), the Petitioner's Objections (Doc. No. 17), and after a thorough and independent review of the record, it is ORDERED that:

1. The Report and Recommendation of Magistrate Judge Rice is APPROVED and ADOPTED;
2. The Petition for Writ of Habeas Corpus is DENIED;
3. There is no probable cause to issue a certificate of appealability;
4. The Clerk of Court shall close the case.

BY THE COURT:

S/ Joel H. Slomsky
J.